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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,173	12/02/2003	Gerald R. Savicki JR.	905-183	4132

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EXAMINER

NEILS, PEGGY A

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/726,173

Applicant(s)

SAVICKI, GERALD R. 

Examiner

Peggy A. Neils

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10 and 12-21 is/are allowed.
- 6) ☒ Claim(s) 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

Applicant's arguments with respect to claim 11 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lau et al.

Lau et al shows a night light comprising a housing 20 configured to be inserted into an electrical device 80. The printed circuit board disposed in the housing is shown in the circuitry diagram in Figure 2 of Lau et al and includes at least one LED with electrical contacts 60 for engaging complementary terminals of electrical device 80. A lens portion is shown at 80 (see column 2, lines 5-9) to cover at least one LED. The circuit shown in Figure 2 inherently shows the "printed circuit board".

Allowable Subject Matter

Claims 1-10 and 12-21 are allowed.

The following is an examiner's statement of reasons for allowance: Claims 1-10 are allowable over the prior art because Claim 1 sets forth an electrical wiring device with a housing including a lamp receptacle, a switch with at least one terminal member


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and a lamp module including a contact member and light emitting element with a power on circuit configured to be inserted into the lamp receptacle. This combination of limitations was not shown or suggested by the prior art. Claims 12-17 are allowable over the prior art because Claim 12 sets forth a method for installing an electrical wiring device in an electric circuit comprising a device housing and at least one switch including at least one terminal member and a lamp receptacle including a contact element electrically coupled to the terminal member, a lamp module with a circuit contact member configured to engage the contact element. This combination of limitations was not shown or suggested by the prior art. Claims 18 and 19 are allowable over the prior art because Claim 18 sets forth a method of making an electrical wiring device with the method providing a device housing having a lamp receptacle including a lamp receptacle contact element, disposing a wiring device within the housing including at least one switch including at least one terminal member, a lamp module including a circuit contact configured to engage the contact element to establish electrical connectivity between the lamp module and the terminal member. This combination of limitations was not shown or suggested by the prior art. Claims 20 and 21 are allowable over the prior art because Claim 20 sets forth a method of making an electrical wiring device for use in an electrical circuit which comprises a device housing having a lamp receptacle, a switch with at least one terminal member and a non-light emitting blank module identical to a lamp module so that the blank module may be substituted for the lamp module in the electrical wiring device. This combination of limitations was not shown or suggested by the prior art.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Misencik, Munn, Osika and Adolphson, Jr. are cited of interest for showing various arrangements for illuminated electrical devices.

Any inquiry concerning this communication or earlier communications should be directed to Examiner Neils at (571) 272-2377 on a Monday or Thursday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378.


Stephen Husar
Primary Examiner